

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF _____

MARK F. DURFEE,

Plaintiff,

v.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 08-2977 (KSH)

EQUINOX CAPITAL III, L.P.,
EQUINOX CAPITAL SBIC, L.P.,
EQUINOX PARTNERS III, LLC,
EQUINOX SBIC PARTNERS, LLC,
EQUINOX CAPITAL, INC.,
EQUINOX SMU MANAGEMENT, LLC,
EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
EIC Acquisition Corp.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in this complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

WILLIAM T. WALSH

CLERK



(By) DEPUTY CLERK

DATE

6/23/2008

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served:
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- Return unexecuted:
- Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		\$0.00

¹ As to whom may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF _____

MARK F. DURFEE,

Plaintiff,

v.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 08-2977(KSH)

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EQUINOX CAPITAL SBIC, L.P.,
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EQUINOX CAPITAL, INC.,
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EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
EIC Holding, Inc.
63 Walnut St.
Gardner, Massachusetts 01440

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:

EIC SMU Acquisition Corp.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
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EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:

Equinox Capital III, L.P.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:

Equinox Capital SBIC, L.P.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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CLERK

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STATEMENT OF SERVICE FEES

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AO 440 (Rev. 8/01) Summons in a Civil Action

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UNITED STATES DISTRICT COURT
DISTRICT OF

MARK F. DURFEE,

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SUMMONS IN A CIVIL CASE

CASE NUMBER: 08-2977 (KSH)

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SMU HOLDINGS, INC.,
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EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:

Equinox Capital, Inc.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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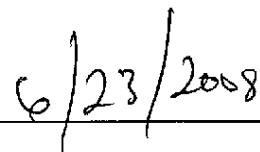
WILLIAM T. WALSH
U.S. DISTRICT COURT CLERK'S OFFICE
Civil Action

CLERK



(By) DEPUTY CLERK

DATE

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF _____

MARK F. DURFEE,

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SUMMONS IN A CIVIL CASE

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EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:

Equinox EIC Management, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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AF-40 (Rev. 8/1) Summons in a Civil Action

WILLIAM T. WALSH

CLERK

(By) DEPUTY CLERK

DATE

6/23/2008

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STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		\$0.00

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AO 440 (Rev. 8/01) Summons in a Civil Action

DECLARATION OF SERVER

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF

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SUMMONS IN A CIVIL CASE

CASE NUMBER: 08 - 2977(KSH)

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EQUINOX SMU MANAGEMENT, LLC,
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SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
Equinox EIC Partners, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
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Morristown, NJ 07962

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Form Rev. 3/01, Summons in a Civil Action

WILLIAM T. WALSH

CLERK

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STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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AO 440 (Rev. 8/01) Summons in a Civil Action

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF _____

MARK F. DURFEE,

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and STEVEN C. RODGER,

Defendants.

To:

Equinox Partners III, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
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05-447 Rev 18/01 S-1000-A-1 for a Civil Action

WILLIAM T. WALSH

CLERK



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Defendants.

To:
Equinox SBIC Partners III, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
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Form 14 (Rev. 8/01) Summons in a Civil Action

WILLIAM T. WALSH

CLERK

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Form 4 (Rev. 3/01) Summons in a Civil Action

WILLIAM T. WALSH

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<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Return unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
		\$0.00

¹ As to whom may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

AO 440 (Rev. 8/01) Summons in a Civil Action

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF

MARK F. DURFEE,

Plaintiff,

v.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 08-2977(KSH)

EQUINOX CAPITAL III, L.P.,
EQUINOX CAPITAL SBIC, L.P.,
EQUINOX PARTNERS III, LLC,
EQUINOX SBIC PARTNERS, LLC,
EQUINOX CAPITAL, INC.,
EQUINOX SMU MANAGEMENT, LLC,
EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
Equinox SMU Partners, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in this complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

WILLIAM T. WALSH

CLERK



(By) DEPUTY CLERK

6/23/2008

DATE

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

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		\$0.00

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UNITED STATES DISTRICT COURT
DISTRICT OF _____

MARK F. DURFEE,

Plaintiff,

v.

SUMMONS IN A CIVIL CASE

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EQUINOX CAPITAL SBIC, L.P.,
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EQUINOX SBIC PARTNERS, LLC,
EQUINOX CAPITAL, INC.,
EQUINOX SMU MANAGEMENT, LLC,
EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:

SMU Acquisition Corp.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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WILLIAM T. WALSH

CLERK

(By) DEPUTY CLERK

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF

MARK F. DURFEE,

Plaintiff,

v.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 08-2977(KSH)

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EQUINOX CAPITAL SBIC, L.P.,
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EQUINOX SMU MANAGEMENT, LLC,
EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:

SMU Holdings, Inc.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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Form 100 (Rev. 7/01) Summons in a Civil Action

WILLIAM T. WALSH

CLERK

(By) DEPUTY CLERK

DATE

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UNITED STATES DISTRICT COURT
DISTRICT OF

MARK F. DURFEE,

Plaintiff,

v.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 08-2977(KSH)

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EQUINOX SBIC PARTNERS, LLC,
EQUINOX CAPITAL, INC.,
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EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:

Steven C. Rodger
623 Lake Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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